

Application No. 10/069,954
Response dated June 3, 2004
Reply to Office Action of March 16, 2004

REMARKS

Claims 9-17 are pending in this application, of which claims 9-13 and 15-17 have been amended. No new claims have been added.

Regarding the outstanding rejections, the agent discussed on the phone with the Examiner on April 16 and April 27, 2004, showing a proposed amendment.

With respect to the proposed amendment shown, the term “directly” has been incorporated into claims 9 and 15 in accordance with the examiner’s suggestion. In addition to the examiner’s suggestion, the term “peak” has been incorporated into claims 9, 11 and 15, and the recitation of “and wherein the irradiated light has a peak wavelength of not more than 400nm” has been deleted from claim 12.

(1) Claims 9-17 were rejected under 35 U.S.C. §112, second paragraph in the outstanding Office Action.

Claims 9, 11-13 and 15-17 have been amended, which is believed to overcome the rejection.

Application No. 10/069,954
Response dated June 3, 2004
Reply to Office Action of March 16, 2004

(2) Claims 9, 13 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,067,328 to Harrison or JP Patent No. 01-202241 to Hayata et al., in the outstanding Office Action.

Contrary to the examiner's statement in the outstanding Office Action, Harrison does not disclose removing a shell residue, but discloses examining the freshness of the head and shell removed shrimps (col.2, lines 8-54). The rejection of claims 9 and 15 under 35 U.S.C. §102(b) is not supported by Harrison. Reconsideration of the rejection is respectfully requested.

Claims 9 and 15 have been amended to incorporate the limitation of "a peak wavelength from 254nm to 400nm." Claims 9 and 15, as amended, are not anticipated by Hayata et al. Reconsideration of the rejection is respectfully requested.

(3) Claims 10 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Harrison or Hayata as applied to claims 9 and 15 above, and further in view of U.S. Patent No. 5,902,177 to Tessier et al., in the outstanding Office Action.

Also, claims 11, 12, 14 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hayata as applied to claims 9, and further in view of Harrison., in the outstanding Office Action.

Application No. 10/069,954
Response dated June 3, 2004
Reply to Office Action of March 16, 2004

However, claims 10-12, 14, 16 and 17 are dependent on claims 9 and 15, so the rejections thereof are believed to be overcome.

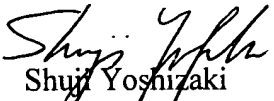
(4) In view of the above, claims 9-17, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. The limited recognition of the agent is attached herewith.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Shuji Yoshizaki
Agent for Applicants
Limited Recognition

Attachment: Limited Recognition

SY/mt
1250 Connecticut Avenue, N.W., Suite 700
Washington, DC 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
Q:\2002\020287\020287 amd-2f.doc